



## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR TRANSMITTING TERRESTRIAL SIGNALS ON A COMMON FREQUENCY WITH SATELLITE TRANSMISSIONS described and claimed in the attached specification;

I have reviewed and understand the content of the attached specification, including the claims, as amended by any amendment referred to above. I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, C.F.R. §1.56(a).

I hereby claim the benefit under Title 35 United States Code, §120 of United States application, Apparatus and Method for Reusing Satellite Broadcast Spectrum for Terrestrially Broadcast Signals, Patent No. 5,761,605, issued June 2, 1998, and United States application entitled, Apparatus and Method for Transmitting Terrestrial Signals on a Common Frequency with Satellite Transmissions, Application Serial No. 08/991,265, filed December 16, 1997, currently pending.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

> Russell D. Culbertson, Reg. No. 32,124 John Nevin Shaffer, Jr., Reg. No. 29,858 Rafael V. Baca, Reg. No. 44,016

Address telephone calls to Russell D. Culbertson at telephone number: 512/327-8932. Address correspondence to: Russell D. Culbertson, 1250 Capital of Texas Highway, S., Building One, Suite 360, Austin, Texas 78746.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11-14-00

Residence:

Austin, Texas

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Date

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